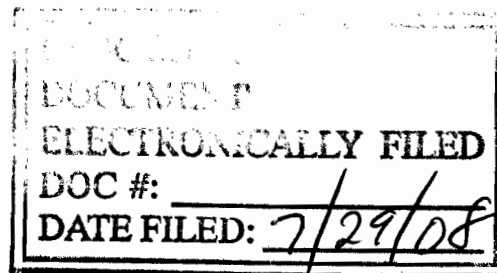


*Lynch, J*

HERRICK, FEINSTEIN LLP  
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
HSH NORDBANK AG NEW YORK  
BRANCH, as Administrative Agent for  
Itself and Certain Lenders,

Plaintiff,

vs.

MICHAEL SWERDLOW, BRIAN  
STREET, and JAMES COHEN,

Defendants.  
----- X

Case No. 08 Civ. 6131 (GEL)

**STIPULATION EXTENDING TIME**

**IT IS HEREBY STIPULATED AND AGREED** that the time for Defendants to answer, move or otherwise respond with respect to the Complaint is hereby extended 31 days from July 29, 2008, to and including August 29, 2008.

**IT IS FURTHER STIPULATED AND AGREED** that Defendants hereby waive any defenses based upon improper or inadequate service of the Complaint.

**IT IS FURTHER STIPULATED AND AGREED** that the District Court for the Southern District of New York has personal jurisdiction over Defendants and is the proper venue in which to try the above-captioned action.

**IT IS FURTHER STIPULATED AND AGREED** that execution of this Stipulation by facsimile or .pdf transmission shall be acceptable as if it were by original signature.

Dated: July 25, 2008

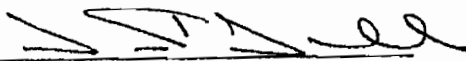
SONNENSCHN NATH &  
ROSENTHAL LLP

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(Appearing subject to  
pro hac vice application)*

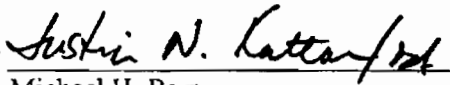
SO ORDERED: \_\_\_\_\_

IT IS FURTHER STIPULATED AND AGREED that execution of this Stipulation by facsimile or .pdf transmission shall be acceptable as if it were by original signature.

Dated: July 25, 2008

SONNENSCHN NATH &  
ROSENTHAL LLP

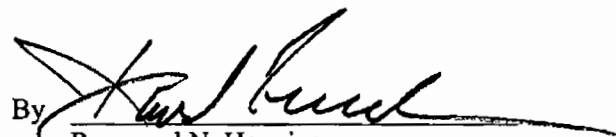
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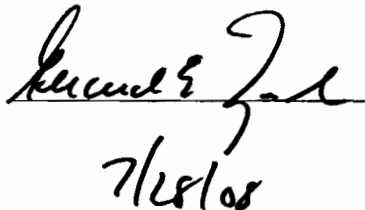
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SO ORDERED:



7/28/08